



#13 DAE
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PETITION UNDER 37 CFR 1.137(b) FOR REVIVAL OF PATENT APPLICATION
ABANDONED UNINTENTIONALLY

Atty. Dkt.:

07627

0275379

C#

M#

First named inventor: SYMONDS

Application No.: 09/719,416

Filed: December 12, 2000

Title: HEAT EXCHANGER

Group Art Unit:

3743

Examiner:

Leonard R. Leo

Mail Stop Petition

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date: July 30, 2003

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee (X one box and insert fee)

☐ Small entity-fee \$ ____ (fee code 241). Applicant claims small entity status.

☒ Large entity - fee \$ 1,300.00 (fee code 141).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of An Amendment (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
- ☐ is charged on enclosed form PTOL - 85b.

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3. Terminal disclaimer with disclaimer fee (See note (3) above)

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ ___ for a small entity (fee code 248) or \$ ___ for large entity (fee code 148) disclaiming the required period of time is charged per Charge Statement below.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

5. CHARGE STATEMENT: Please charge any fee required by items 1, 2 and 3 above to our Deposit Account No. 03-3975 under Order No. 007627 / 0275379.
C# M#

Enclosures: ☒ Reply

☐ Terminal Disclaimer

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate

Respectfully submitted,
Pillsbury Winthrop LLP
Intellectual Property Group

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